

OPINION
45-33

June 22, 1945 (OPINION)

BIRTH AND DEATH CERTIFICATES

RE: Stillborn Children

I acknowledge your letter of June 19, in which you call my attention to the amendment of section 23 0216 by the enactment of chapter 197 of the 1945 Session Laws. Under section 23-0216 of the Revised Code of 1943, both a birth and a death certificate had to be filed for a stillborn child. After July 1, under the terms of chapter 197 of the 1945 Session Laws, only one certificate will be needed, in accordance with that statute.

Under the terms of section 23-0211, setting the fees of local registrars, it is provided that each local registrant shall be entitled to a sum of twenty-five cents for each birth and each death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the state registrar. You want to know whether, under the terms of chapter 197 of the 1945 Session Laws, the local registrar is entitled to only a twenty-five cent fee for a stillbirth certificate provided for under that statute.

Since, after July 1, only one certificate is required, it is my opinion that the local registrar is only entitled to the fee of twenty-five cents for such certificate. Under chapter 197 of the 1945 Session Laws, the two certificates formerly required under the statute have been combined into one certificate, and when the local registrar performs his duties with reference to such certificate, as is provided by section 23-0211 of the revised code of 1943, he is dealing with only one certificate and, therefore, in my opinion is entitled to only the fee of twenty-five cents for handling the certificate.

NELS G. JOHNSON

Attorney General